

REMARKS

The outstanding Official Action rejected claims 1, 3, 8 and 14 under 35 U.S.C. §102(b) over JP 7-245092. Additionally, claims 1, 3-9 and 12-15 were rejected under 35 U.S.C. §102(e) over HAMADA et al. (U.S. Patent No. 6,551,741).

In view of the attached verified English language translations of each of the Japanese priority documents, as well as the herein-contained remarks, Applicants respectfully request reconsideration and withdrawal of the outstanding rejections, as well as an indication of the allowability of each of the claims now pending.

Attached hereto, Applicants are providing certified English language translations of each of the documents upon which the present application depends for priority under 35 U.S.C. §119. In particular, Applicants have attached to the present Response the verified English language translations of JP 11-207518, filed July 22, 1999; and JP 2000-98002, filed March 31, 2000. In contrast, Applicants note that U.S. Patent No. 6,551,741 was filed on June 8, 2000. In view of the priority accorded to the presently claimed invention under 35 U.S.C. §119, as established by the attached English language translations of the priority documents, Applicants respectfully assert that the rejection under 35 U.S.C. §102(e) over HAMADA is moot. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of claims 1, 3-9 and 12-15 under 35 U.S.C. §102(e).

Applicants also traverse the rejection of claims 1, 3, 8 and 14 under 35 U.S.C. §102(b) over JP 7-245092. In particular, claim 1 of the present invention recites "lateral edges of the positive electrode plates protrude beyond the negative electrode plates on one side, and said lateral edges of the negative electrode plates protrude beyond the group of positive electrode plates on the opposite side, the protruding portions forming the lead portions" (emphasis added). In contrast, the English language abstract of JP 7-245092 discloses that "an exposed part of the negative electrode 3... is welded with a negative electrode lead body 12a" (emphasis added). Additionally, "an exposed part 2b of the positive electrode 2...is welded with a positive electrode lead body 11a" (emphasis added). Therefore, the protruding portions of the electrode plates form the lead portions according to the presently claimed invention. In contrast, the "exposed part" of the electrodes in JP 7-245092 are "welded with" a lead body. Accordingly, JP 7-245092 does not disclose or suggest the above-noted feature recited in claim 1.

Additionally, claim 1 of the present invention recites "an open upper end of the prismatic cell case is closed by an integral lid member". In contrast, e.g., FIG. 5 of JP 7-245092 shows a continuous portion of the "container" 10 closing the upper end of the cell case shown therein. Additionally, JP 7-245092 discloses that the "exterior top wall" of the container 10 is provided with electrode terminals 11 and 12 and a relief valve 13. Additionally, the rechargeable battery shown in FIG. 1 of JP 7-245092 also employs the

P19757.A11

container 10. Accordingly, JP 7-245092 does not disclose or suggest the above-noted feature recited in claim 1.

Accordingly, Applicants respectfully assert that the figures and English language abstract of JP 7-245092 do not disclose the above-noted features of claim 1. Applicants additionally note that they have previously explained that the recited combination that includes, e.g., "an open upper end of the prismatic cell case is closed by an integral lid member", is not disclosed or suggested in the prior art, e.g., EDWARDS, as previously applied by the Examiner.

Applicants additionally submit that each of claims 3-9 and 12-14 are allowable, at least for depending, directly or indirectly, from an allowable independent claim 1, as well as for reasons related to their own recitations. Accordingly, Applicants respectfully request entry of the present amendment, reconsideration and withdrawal of each of the outstanding rejections, and an indication of the allowability of each of the claims now pending.

Thus, Applicants submit that a clear basis exists for a finding of patentability of the pending claims included in the present amendment. An action to such effect is respectfully requested.

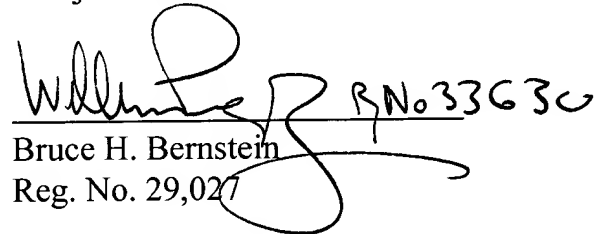
**SUMMARY AND CONCLUSION**

Applicants have made a sincere effort to place the present application in condition for allowance and believe that they have now done so. Applicants have discussed the disclosure of the references relied upon by the Examiner and have pointed out specific features of the claims not disclosed by the references. Applicants have further discussed the features recited in Applicants' claims and have pointed out how these features are not taught, disclosed nor rendered obvious by the disclosure of the reference cited by the Examiner

Accordingly, Applicants have provided a clear evidentiary basis supporting the patentability of all the claims in the present application and respectfully request an indication to such effect, in due course.

Should the Examiner have any questions or comments regarding this Response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,  
Shinji HAMADA et al.

  
Bruce H. Bernstein  
Reg. No. 29,027

October 28, 2003  
GREENBLUM & BERNSTEIN, P.L.C.  
1950 Roland Clarke Place  
Reston, VA 20191  
(703) 716-1191